

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TAMARA ROUNDS, as Guardian of minors)
MARK WEIHE and BRITTANY WEIHE,)
)
)
Plaintiff,)
)
vs.) **CIVIL NO. 08-03-GPM**
)
JAMES BERNA and DRIVER LOGISTICS,)
L.L.C.,)
)
Defendants.)

ORDER OF DISMISSAL

MURPHY, District Judge:

On December 30, 2008, Plaintiff filed a motion to voluntarily dismiss this action without prejudice. Defendants have not filed a response to the motion, and their counsel has advised that she does not oppose the dismissal.

Accordingly, Plaintiff's motion to voluntarily dismiss (Doc. 13) is **GRANTED**, and this action is **DISMISSED without prejudice** pursuant to Federal Rule of Civil Procedure 41(a)(2). The parties shall bear their own costs. In light of this dismissal, the Court **VACATES** all court dates.

IT IS SO ORDERED.

DATED: 1/16/09

s/ G. Patrick Murphy
G. Patrick Murphy
United States District Judge